



FÉDÉRATION INTERNATIONALE DES CONSEILS  
EN PROPRIÉTÉ INTELLECTUELLE

INTERNATIONAL FEDERATION OF  
INTELLECTUAL PROPERTY ATTORNEYS

INTERNATIONALE FÖDERATION  
VON PATENTANWÄLTEN

## Resolution of the Executive Committee, Sorrento, Italy, 29 September – 02 October 2013

### “Subject Matter Eligible for Patent Protection”

**FICPI**, the International Federation of Intellectual Property Attorneys, broadly representative of the free profession throughout the world, assembled at its Executive Committee held Sorrento, Italy, 29 September to 02 October 2013, passed the following Resolution:

**Emphasizing** that according to Art. 27 of the TRIPS agreement, *patents shall be available ... in all fields of technology...without discrimination*,

**Recognizing** the difficulties experienced over the years to distinguish “eligible” from “ineligible” subject matter for patent protection,

**Observing** that the different approaches in defining subject matter eligible for patent protection are likely to lead to inconsistent practices,

**Firmly believing** that the question of eligibility of subject matter for patent protection should be considered broadly and taking into account the unpredictable nature of innovation in technology and science, so as not to exclude a priori from patent protection inventions made in new and developing fields of technology,

**Urges** relevant authorities at a regional and/or national level not to introduce any new restrictions on eligibility of subject matter for patent protection in their laws, practice and/or regulations,

**And further urges** relevant authorities at a regional and/or national level to assess whether subject matter is eligible for patent protection broadly and to exclude subject matter only where there is clear statutory or judicial authority to do so.